



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands and Waterways

BRP WW 07 Major Project Certification

BRP WW 08 Minor Project Certification

BRP WW 09 Amendment of Certification for Dredging

401 Water Quality Certification for Dredging and Dredge Material Disposal

Instructions and Supporting Materials

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Introduction

DEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the DEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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Bureau of Resource Protection – Wetlands and Waterways
BRP WW 07 Major Project Certification
BRP WW 08 Minor Project Certification
Permit Fact Sheet

1. What is the purpose of these certifications?

A 401 Water Quality Certification is required under the federal Clean Water Act for certain activities in wetlands and waters. This law gives states the authority to review projects that must obtain federal licenses or permits and that result in a discharge to state waters. The purpose of state 401 review is to ensure that a project will comply with state water quality standards and other appropriate requirements of state law.

Statutory authority for this certification is stated in the federal Clean Water Act, 33 USC 1341, and the Massachusetts Clean Water Act, MGL Chapter 21, sections 26-53. Regulatory authority for this certification is found in 314 CMR 9.00. Water quality standards referenced in the certification are found in 314 CMR 4.00.

2. Who must apply?

All persons who propose any activity that results in a discharge of dredged material, dredging, or dredged material disposal greater than 100 cubic yards to waters subject to regulation by the U.S. Army Corps of Engineers, Federal Energy Regulatory Commission or other federal agency, must obtain a 401 Water Quality Certification for Dredging Activities.

Examples of activities requiring certification include dredging of land under water. If no federal permit is needed for an activity, then no 401 certification is required from DEP. For information on the applicability of Section 404 of the Clean Water Act, or Section 9 or 10 of the Rivers and Harbors Act, the applicant is advised to consult the Corps of Engineers at 1-800-362-4367.

All persons who propose discharges or fill activities in wetlands or waters should complete the **401 Water Quality Certification for Fill and Excavation Projects in Waters and Wetlands** application form, which is a separate form from this application.

There are three categories of water quality certification: major project (BRP WW 07), minor project (BRP WW 08) certifications and Amendment of Certification for Dredging (BRP WW 09). *BRP WW 07 was formerly BRP WP 39, BRP WW 08 was formerly BRP WP 40, and BRP WW 09 was formerly BRP WP 54.*

Major Dredge Project Certification (BRP WW 07):

Major project certification includes the dredging of 5,000 cubic yards (c.y.) or greater.

Minor Dredge Project Certification (BRP WW 08):

Minor project certification includes: projects not listed in the major project certification category; and those projects involving dredging less than 5,000 c.y. but more than 100 c.y.



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Amendment of Certification for Dredging (BRP WW 09):

If a water quality certification has been issued for a dredging project and the project is subsequently revised, the certification is not valid. An amended certification may be requested for project modifications, such as changes in the dredging area, dredged material volume, or construction methods for dredging or disposal. In addition, a change in one or more of the special conditions of certification may be allowed through an amended certification. See the BRP WW 09 application form at the end of this package.

3. What other requirements should be considered when applying for these certifications?

Applicants proposing dredging activities in Outstanding Resource Waters (as designated in 314 CMR 4.00) are required to publish notice in the *Environmental Monitor*, pursuant to MEPA regulations, 301 CMR 11.00.

Projects requiring 401 Water Quality Certification generally also are subject to the WPA (MGL c. 131, sec. 40) and its regulations (310 CMR 10.00). In addition, some projects may require MEPA review. Please carefully examine 301 CMR 11.00, the MEPA Regulations, to determine if your project exceeds the MEPA review thresholds, or for more information contact: MEPA Unit, Executive Office of Environmental Affairs, 100 Cambridge Street, Boston, MA 02202, 617-727-5830). ***DEP cannot complete technical review of the permit application until the MEPA process has been concluded.*** Copies of MEPA filings and certificates (with reference to any applicable Transmittal numbers) should be sent to the Waterways Program in Boston.

State Agencies may not issue state permits until 60 days after a Final Environmental Impact Report, if required, has been noticed in the *Environmental Monitor* (301 CMR 11.20(1)).

Note: These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include all additional requirements.

4. What are the application fees for these certifications?

BRP WW 07 Major Project	\$400
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BRP WW 08 Minor Project	\$80
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BRP WW 09 Amendment of Certification for Dredging:

Increase in volume up to 50%, no change in area	\$75
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Change in dredge or disposal construction methods or plans	\$155
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Change in one or more certification condition	\$230
---	-------

5. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Location:

For all projects involving more than 100 c.y. of dredging or disposal of dredged material in waters (BRP WW 07, 08 and 09):



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Department of Environmental Protection
Waterways Program
1 Winter Street
Boston, MA 02108
(Tel. (617) 292-5695)

There are no reserve copy locations.

6. What are the timelines?

As of November 3, 1995, these are the effective timelines:

	AC	T1	T2*
BRP WW 07	30	120	120
BRP WW 08	30	90	90
BRP WW 09	30	60	60

*(A second technical review will take place only if necessary).

Please see Attachment A provided with this document for information regarding Public Notice requirements for this permit. Public comment period runs concurrently with other review periods.

7. What is the annual compliance fee?

There is no annual compliance assurance fee for water quality certifications.

8. How long are these certifications in effect?

Water quality certifications for dredging are in effect for the completion of the proposed project, unless there is a term for maintenance dredging or time limitation stated in the certification.

9. How can I avoid the most common mistakes made in applying for these certifications?

- For dredging projects, indicate the depth and show the location of all sediment samples, indicate if samples were composited before analysis, and provide a copy of the analytical report from the laboratory.
- Be sure any vegetated wetland boundaries are clearly indicated on plans for projects in vegetated wetlands.
- Be sure construction methods and sequence of activities in wetlands and waters are clearly described.
- Be sure all applicable supplemental documents are provided with your application, including project plans and MEPA certificates.
- Submit fee and *one copy* of the DEP Transmittal Form to: Department of Environmental Protection, P.O. Box 4062, Boston, MA 02211.

10. What are the regulations that apply to these certifications and where can I get copies?

These regulations include, but are not limited to:



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- a. 401 Water Quality Certification Regulations, 314 CMR 9.00
- b. Surface Water Quality Standards, 314 CMR 4.00
- c. Wetlands Protection Act Regulations, 310 CMR 10.00.
- d. Timely Action Schedule and Fee Provisions, 310 CMR 4.00
- e. Rules for Adjudicatory Hearings, 310 CMR 1.00
- f. Massachusetts Environmental Policy Act Regulations, 301 CMR 11.00.

These may be purchased at:

State Bookstore (in State House)
Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street, Room 102
Springfield, MA 01102
413-784-1376



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands and Waterways
BRP WW 07 Major Project Certification
BRP WW 08 Minor Project Certification
Guidance

Application Instructions for BRP WW 07 and BRP WW 08 only.

Item A-1: There are three categories of water quality certification: major project (BRP WW 07), minor project (BRP WW 08) certifications, and Amendment of Certification for Dredging (BRP WW 09).

Major Project Certification (BRP WW 07)

Major project certification includes the dredging of 5,000 cubic yards (c.y.) or greater.

Minor Project Certification (BRP WW 08)

Minor project certification includes: projects not listed in the major project certification category; and those projects involving dredging less than 5,000 c.y. but more than 100 c.y.

Item B-3: For an Application to be complete, proof must be provided that the requirements for public notice have been met, including public notice in the Environmental Monitor for projects in Outstanding Resource Waters (as designated in 314 CMR 4.00).

Item B-4:

- a. The boundary of land under water for coastal waters is defined at 310 CMR 10.25 (2) and at 310 CMR 10.56 (2) for inland waters, unless the U.S. Army Corps of Engineers has field-verified a federal determination as to the boundary.
- b. Other Resources.

Bordering vegetated wetland boundary delineation should be conducted in accordance with 310 CMR 10.55 (2), unless the U.S. Army Corps of Engineers has already field-verified a federal delineation of these wetlands.

Isolated vegetated wetland boundary delineation should be conducted in accordance with federal methods. (See DEP Delineation Handbook for Delineating BVWs Under the Mass. WPA for guidance.)

Salt marsh boundary delineation should be conducted in accordance with 310 CMR 10.32, unless the U.S. Army Corps of Engineers has already field-verified a federal delineation of these wetlands.

Item C-3: The scope of alternatives to be considered shall be commensurate with the scale and purpose of the proposed activity, the impacts of the proposed activity, and the classification, designation and existing uses of the affected wetlands and waters in the Surface Water Quality Standards at 314 CMR 4.00.

Applicants must submit information with this application demonstrating that (a) no less damaging practicable alternative for the activity is reasonably available or feasible and (b) to the maximum extent feasible the discharge and the activity are designed and can be conducted to minimize adverse impacts on water and wetlands and to mitigate adverse impacts. Examples of minimization of impacts include: minimizing siltation, turbidity, and dispersal of contaminants by use of silt curtains and/or other appropriate



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equipment such as "environmental" clamshell or hydraulic dredge; timing of dredging to avoid seasonal impacts to fish and shellfish during spawning or migration periods; and avoidance of dredging in intertidal habitat, shellfish or eel grass beds.

Item D

**Physical and Chemical Analysis of Sediment Samples:
Sample Collection and Handling**

Samples should be collected to adequately represent the sediment to be dredged. In an area with no known particular local sources of contaminants and no known history of release of oil and hazardous materials, the sampling plan may be based on a grid system. In no case should fewer than two samples be collected. Generally, core samples to the depth of dredging are required to be obtained and analyzed. The full core should be composited for analysis of physical and chemical constituents.

Where local sources of contamination exist, such as combined sewer overflows, storm drain outlets, boat repair docks, fuel docks, etc., or where information exists regarding historic release or spill of oil and hazardous materials, project areas which may have been affected by these sources of contaminants must be specifically targeted in the sampling plan.

In general, the sediment should be analyzed for grain size and all of the chemical constituents listed in Item D. However, in situations where representative samples contain 15% or less material passing the No. 200 sieve (by weight) AND the applicant can provide information to DEP demonstrating that there are no local industrial, sewage or other discharges present which could contaminate the sediments, then the applicant does not need to analyze sediment for the chemical constituents in Item D. DEP reserves the right to require chemical testing after an initial review of the application.

A plan showing the sampling locations and a description of any compositing or subsampling conducted must be submitted along with the analytical results.

Sediment Analysis:

Sediment slated for upland placement should be analyzed for Extractable Petroleum Hydrocarbons using the method developed by DEP, rather than Total Petroleum Hydrocarbons by EPA Method 418.1. Acceptable methods of analysis for other sediment constituents and expected detection limits are indicated in the "Guidance for Performing Tests on Dredged Material to be Disposed of in Open Waters" by U.S. Environmental Protection Agency - Region I and the U.S. Army Corps of Engineers New England Division (1989).

A copy of the report of sample analysis from the performing laboratory should be provided including quality assurance/quality control information and methods of analysis used.

It is recommended that a proposed sampling plan be submitted to DEP's Division of Wetlands and Waterways, Boston Office, for approval prior to implementation.

Item E

Disposal and Dewatering Site:



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Applicants proposing to beneficially use sediment at a lined landfill as daily cover or grading material are advised that, DEP policy exempts qualifying sediments from the need to obtain specific approval from DEP's Division of Solid Waste Management. Qualifying sediments must not exceed specified chemical concentrations as listed in Table 1 in Interim Policy # COMM-94-007 (<http://www.state.ma.us/dep/bwp/dswm/files/dredge.htm>). Such sediments must be characterized by at least 1 core sample for each 1,000 cubic yards proposed to be dredged.



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Attachment A

ATTACHMENT A

Instructions for Public Notice

For an application to be considered complete, proof must be provided that the requirements for public notice have been met, including public notice in the *Environmental Monitor* for dredging projects in Outstanding Resource Waters. The *Environmental Monitor* is published twice per month by the Executive Office of Environmental Affairs, MEPA Unit. Filing deadlines are the 15th and last day of the month, unless the day falls on a Saturday, Sunday or Holiday in which case the next business day is used. (See Item 3 in the *How to Apply* guide for the MEPA Unit address and telephone number.)

The Public Notice must contain the information required at 314 CMR 9.05 (3)(a) through (g).

Public notice must be published within 10 days of submitting a 401 application. In addition, a copy of the public notice should be sent to the conservation commission and DEP at the time of publication. Proof (e.g., a dated copy of the newspaper notice) that public notice has been published is a requirement of certification.

If the conservation commission is amenable to joint notice, applicants can append the following language to the Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, section 40, conservation commission hearing notice, such as:

"An application for 401 water quality certification is pending before the Department of Environmental Protection for [project name, brief description of activity]. Additional information may be obtained from [applicant/ contact person name], [address] and [telephone]. Written comments should be addressed to: [DEP, Boston Office] within twenty-one days of this notice. Any group of ten persons, any aggrieved person, or any governmental body or private organization with a mandate to protect the environment who submits written comments may appeal the Department's Certification. Failure to submit written comments before the end of the public comment period may result in the waiver of any right to an adjudicatory hearing."

The following language is suggested for projects not regulated under the Massachusetts Wetlands Protection Act, or when either the applicant or the conservation commission prefers separate public notice, or for a notice in the *Environmental Monitor* for dredging projects in Outstanding Resource Waters:

*Massachusetts Department of Environmental Protection
Division of Wetlands and Waterways
1 Winter Street
Boston, MA 02108
(617) 292-5695*



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Attachment A

Public Notice

Pursuant to 33 U.S.C. 1341 and M.G.L. c. 21 §43, notice is given of a 401 water quality certification application for [project name, brief description of activity] by [applicant's name and address] on [location] in [city/town] for a [project purpose]. Additional information may be obtained from [applicant/ contact person name], [address] and [telephone]. Written comments should be sent to: [DEP - DWW, Boston office] within twenty-one days of this notice. Any group of ten persons, any aggrieved person, or any governmental body or private organization with a mandate to protect the environment who submits written comments may appeal the Department's Certification. Failure to submit written comments before the end of the public comment period may result in the waiver of any right to an adjudicatory hearing.

Joint notice may be provided when an application is submitted for projects regulated by the Waterways Regulations under M.G.L. c.91 and 310 CMR 9.00. Contact Regional Waterways staff for a comprehensive list individuals/entities that are required to be notified under Chapter 91.

Department of Environmental Protection
Division of Wetlands and Waterways
1 Winter Street
Boston, MA 02108
(617) 292-5695

**According to the municipality in which
the project is located, inset proper
Regional Office address and
phone number (see the last page of this
Guidance).**

Joint 401 WQC for dredging and Chapter 91 Public Notice: [Date of Publication]

Pursuant to 33 U.S.C. 1341 and M.G.L. c. 21 §43, notice is given of a 401 Water Quality Certification (WQC) dredging application for [project name, brief description of activity] by BRP WP 07, 08, 09. Gui Rev. 7/01 and M.G.L. Chapter 91, 310 CMR 9.00 Dredge Permit application for [applicant's name and address] on [location] in [city/town] for a [project purpose], the proposed project has been determined to be water-dependent pursuant to 310 CMR 9.12(2)(a). Additional information about this project may be obtained from [applicant/ contact person name], [address] and [telephone].

*Written comments on the 401 WQC must be sent within twenty-one (21) days of this notice to:
[DEP – DWW, Boston office]*

*Written comments on the Chapter 91 Dredge Permit must be sent within fifteen, (15) days of this notice to: **[DEP- WWP, Regional office]**.*

Any group of ten persons, any aggrieved person, or any governmental body or private organization with a mandate to protect the environment who submits written comments may appeal the Department's Certification and Dredge Permit. Failure to submit written comments before the end of the public comment period may result in the waiver of any right to an adjudicatory hearing.



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BRP WW 08 Minor Project Certification

BRP WW 09 Amendment of Certification for Dredging

Application Completeness Checklist

- ☐ The DEP Transmittal Form is completed.
- ☐ The Application Form for 401 Water Quality Certification for Dredging and Dredged Material Disposal has been completed.
- ☐ A copy of the Wetlands Notice of Intent has been completed, unless the project is exempt.
- ☐ A copy of the report of analysis of dredged material from the performing laboratory has been provided, for dredging projects.
- ☐ If applying for an Amendment of Certification of Dredging (BRP WW 09), the Application for an Amended Water Quality Certification for Dredging Projects has been filled out.
- ☐ Proof has been submitted that the requirement at 310 CMR 9.05(3) to publish notice in the Environmental Monitor for dredging projects in Outstanding Resource Waters has been met (copy of the Environmental Monitor notice).
- ☐ Proof has been submitted that the public notice requirement at 314 CMR 9.05 (3)(a) through (g) identified in Attachment A has been met (copy of the dated newspaper notice).

To submit the application package:

- ☐ Checklist items have been completed.
- ☐ Send a copy of the application along with one copy of the DEP Transmittal Form to:

Department of Environmental Protection

_____ * Regional Office

Wetlands and Waterways

*See "Addresses and Phone Numbers" page included this package.

- ☐ Send fee of:

\$400 for BRP WW 07;

\$80 for BRP WW 08;

One of the following for BRP WW 09 –

Increase in volume up to 50%, no change in area - \$75

Change in dredge or disposal construction methods or plans - \$155

Change in one or more certification condition(s) - \$230

In the form of a check or money order made payable to Commonwealth of Massachusetts, along with one copy of the DEP Transmittal Form to:

Department of Environmental Protection

P.O. Box 4062

Boston, MA 02211



Massachusetts Department of Environmental Protection

Addresses and Phone Numbers

DEP Boston
One Winter Street
Boston, MA 02108
Telephone: (617) 292-5500
Fax: (617) 556-1049
TDD: (617) 574-6868

William X. Wall Experiment Station
37 Shattuck Street
Lawrence, MA 01843
Fax: (978) 688-0352
Division of Environmental Analysis
Telephone: (978) 682-5237
Air Quality Surveillance
Telephone: (978) 975-1138

Office of Watershed
Management
627 Main Street
Worcester, MA 01608
Telephone: (508) 792-7470
Fax: (508) 839-3469

Millbury Training Center
Route 20 Millbury, MA 01527
Telephone: (508) 368-5600
Fax: (508) 755-9253
Residuals Sludge Management
Telephone: (508) 368-5606
WWT Operator Certification
Telephone: (508) 368-5698

DEP Western Region
436 Dwight Street
Suite 402
Springfield, MA 01103
Phone: (413) 784-1100
Fax: (413) 784-1149



Adams
Agawam
Alford
Amherst
Ashfield
Becket
Belchertown
Bernardston
Blandford
Brimfield
Buckland
Charlemont
Cheshire
Chester
Chesterfield
Chicopee
Clarksburg

Colrain
Conway
Cummington
Dalton
Deerfield
Easthampton
East Longmeadow
Egremont
Erving
Florida
Gill
Goshen
Granby
Granville
Great Barrington
Greenfield
Hadley

Hampden
Hancock
Hatfield
Hawley
Heath
Hinsdale
Holland
Holyoke
Huntington
Lanesborough
Lee
Lenox
Leverett
Leyden
Longmeadow
Ludlow
Middlefield

Monroe
Montague
Monterey
Montgomery
Monson
Mount Washington
New Ashford
New Marlborough
New Salem
North Adams
Northampton
Northfield
Orange
Otis
Palmer
Pelham
Peru

Pittsfield
Plainfield
Richmond
Rowe
Russell
Sandisfield
Savoy
Sheffield
Shelburne
Shutesbury
Southampton
South Hadley
Southwick
Springfield
Stockbridge
Sunderland
Tolland

Tyringham
Wales
Ware
Warwick
Washington
Wendell
Westfield
Westhampton
West Springfield
West Stockbridge
Whately
Wilbraham
Williamsburg
Williamstown
Windsor
Worthington

DEP Central Region
627 Main Street
Worcester, MA 01608
Phone: (508) 792-7650
Fax: (508) 792-7621
TDD: (508) 767-2788



Acton
Ashburnham
Ashby
Athol
Auburn
Ayer
Barre
Bellingham
Berlin
Blackstone
Bolton
Boxborough
Boylston
Brookfield

Charlton
Clinton
Douglas
Dudley
Dunstable
East Brookfield
Fitchburg
Gardner
Grafton
Groton
Harvard
Hardwick
Holden
Hopedale

Hopkinton
Hubbardston
Hudson
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Lancaster
Leicester
Leominster
Littleton
Lunenburg
Marlborough
Maynard
Medway
Mendon
Milford

Millbury
Millville
New Braintree
Northborough
Northbridge
North Brookfield
Oakham
Oxford
Paxton
Pepperell
Petersham
Phillipston
Princeton
Royalston

Rutland
Shirley
Shrewsbury
Southborough
Southbridge
Spencer
Sterling
Stow
Sturbridge
Sutton
Templeton
Townsend
Tyngsborough
Upton

Uxbridge
Warren
Webster
Westborough
West Boylston
West Brookfield
Westford
Westminster
Winchendon
Worcester

DEP Southeast Region
20 Riverside Drive
Lakeville, MA 02347
Phone: (508) 946-2700
Fax: (508) 947-6557
TDD: (508) 946-2795



Abington
Acushnet
Attleboro
Avon
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Berkley
Bourne
Brewster
Bridgewater
Brockton
Carver
Chatham
Chilmark

Dartmouth
Dennis
Dighton
Duxbury
Eastham
East Bridgewater
Easton
Edgartown
Fairhaven
Fall River
Falmouth
Foxborough
Franklin

Freetown
Gay Head
Gosnold
Halifax
Hanover
Hanson
Harwich
Kingston
Lakeville
Mansfield
Marion
Marshfield
Mashpee

Mattapoisett
Middleborough
Nantucket
New Bedford
North Attleborough
Norton
Norwell
Oak Bluffs
Orleans
Pembroke
Plainville
Plymouth
Plympton

Provincetown
Raynham
Rehoboth
Rochester
Rockland
Sandwich
Scituate
Seekonk
Sharon
Somerset
Stoughton
Swansea
Taunton

Tisbury
Truro
Wareham
Wellfleet
West Bridgewater
Westport
West Tisbury
Whitman
Wrentham
Yarmouth

DEP Northeast Region
1 Winter Street
Boston, MA 02108
Phone: (617) 654-6500
Fax: (617) 556-1049
TDD: (617) 574-6868



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Billerica
Boston
Boxford
Braintree
Brookline
Burlington
Cambridge
Canton
Carlisle

Chelmsford
Chelsea
Cohasset
Concord
Danvers
Dedham
Dover
Dracut
Essex
Everett
Framingham
Georgetown
Gloucester
Groveland
Hamilton
Haverhill

Hingham
Holbrook
Hull
Ipswich
Lawrence
Lexington
Lincoln
Lowell
Lynn
Lynnfield
Malden
Manchester-By-The-Sea
Marblehead
Medfield
Medford
Melrose

Merrimac
Methuen
Middleton
Millis
Milton
Nahant
Natick
Needham
Lynn
Newburyport
Newton
Norfolk
North Andover
North Reading
Norwood
Peabody

Quincy
Randolph
Reading
Revere
Rockport
Rowley
Salem
Salisbury
Saugus
Sherborn
Somerville
Stoneham
Sudbury
Swampscott
Tewksbury
Topsfield

Wakefield
Walpole
Waltham
Watertown
Wayland
Wellesley
Wenham
West Newbury
Weston
Westwood
Weymouth
Wilmington
Winchester
Winthrop
Woburn



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands and Waterways

BRP WW 07, 08 Dredging

Transmittal Number # _____

401 Water Quality Certification – Projects Proposing More Than 100 Cubic Yards
Dredging or Disposal of Dredged Material

A. Applicant Information

1. For which permit category are you applying?

☐ BRP WW 07

☐ BRP WW 08

2. Applicant:

Name

Street Address

City

State

Zip Code

Contact person

Telephone Number (home)

Telephone Number (work)

3. Authorized Agent:

Name

Street Address

City

State

Zip Code

Contact person

Telephone Number (home)

Telephone Number (work)

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



B. Project Information

1. Project Location:

Street Address

City

Nearest or Adjacent Waterbody

2. Project Name (if any):



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands and Waterways

BRP WW 07, 08 Dredging

Transmittal Number # _____

401 Water Quality Certification – Projects Proposing More Than 100 Cubic Yards
Dredging or Disposal of Dredged Material

B. Project Information (cont.)

3. Will the proposed project occur in any wetlands or waters designated as “Outstanding Resource Waters”?

☐ Yes ☐ No

If yes, has public notice been published in the Environmental Monitor?

☐ Yes ☐ No

Date of Publication

4. Identify the loss, or alteration, in square feet of each type of resource area (see Application instructions for additional information.):

a. Land under water:

square feet

b. Other Resources:

square feet

5. Does this project require a license from the Federal Energy Regulatory Commission?

☐ Yes ☐ No

If yes, see Application Instructions for additional information needed.

6. Is the project categorically subject to MEPA?

If yes, has final action been taken?

☐ Yes ☐ No

☐ Yes ☐ No

If yes, please include copy of MEPA certificate.

7. Is any of your proposed work exempt from the Massachusetts Wetlands Protection Act or taking place in a federal non-state wetland?

☐ Yes ☐ No

If yes, see Application Instructions for additional information needed.

C. Description of Proposed Dredging Site

1. a. Describe in general the proposed project or activity, including the purpose and intended use of the project, and the duration of the work within any waterbody:



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C. Description of Proposed Dredging Site (cont.)

- b. Date activity is to commence: _____
- c. What is the expected frequency of maintenance dredging of this project? _____

2. Attach plan(s) of the proposed project as follows:

- ☐ Include a copy of the appropriate portion from the USGS quadrangle map for this project site. Include the identification number and name of the USGS quad map.

Plan view.

The plan view of the proposed activity should show the following:

- | | |
|--|--|
| <input type="checkbox"/> Existing shorelines. | <input type="checkbox"/> Ebb and flood in tidal waters and direction of flow in rivers. |
| <input type="checkbox"/> North arrow. | <input type="checkbox"/> Graphic and numerical scale. |
| <input type="checkbox"/> Mean high and low water lines if the proposed activity is located in tidal areas. | <input type="checkbox"/> Ordinary high water line for inland water. |
| <input type="checkbox"/> Water depths around the project. | <input type="checkbox"/> Principal dimensions of the structure or work and extent of encroachment beyond the applicable high water line. |
| <input type="checkbox"/> Seaward distance from an existing permanent fixed structure or object. | <input type="checkbox"/> Harbor lines, if established and known. |
| <input type="checkbox"/> Distance between proposed activity and navigation channel, where applicable. | <input type="checkbox"/> Location of any vegetated wetlands or wetland resource areas. |
| <input type="checkbox"/> Location of structures, if any, in navigable waters immediately adjacent to the proposed activity | <input type="checkbox"/> Proximity to any designated Areas of Critical Environmental Concern. |

Elevation and/or Section View.

The elevation and/or section view of the proposed project should show the following:

- | | |
|--|---|
| <input type="checkbox"/> Same water elevations as the plan view. | <input type="checkbox"/> Depth at waterward face of proposed work. Show dredging grade. |
| <input type="checkbox"/> Graph and numerical scale. | <input type="checkbox"/> Cross-section of excavation including approximate side slopes. |

3. a. What are the length, width, depth and volume of the proposed project?

Length:

Width:

Feet

Feet

Depth:

Volume:

Feet

Cubic yards



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C. Description of Proposed Dredging Site (cont.)

b. Is the proposed project considered:

i. a new project,

☐ Yes ☐ No

ii. maintenance of an existing project?

☐ Yes ☐ No

iii. when was the project last dredged?

Date

Permit/License Name and Number

c. Describe in complete detail the physical dredging operation including descriptions of the type of dredge equipment, i.e., hopper dredge, hydraulic dredge, etc., the type of transportation to be used from the dredge site to the disposal site, the method of release of the dredged material into the disposal site, and the name of the contractor if other than the applicant.

d. Describe all measures designed to avoid and minimize adverse impacts of the project on aquatic life and the aquatic ecosystem. Where impacts cannot be avoided or minimized, what mitigation measures are proposed? (See Application Instructions.)

4. Historical Parameters:

To the best of your knowledge, does the proposed project have any past history of:

a. chemical or oil spills of discharge? ☐ Yes ☐ No

b. Upstream or on-site industrial or municipal discharge within 1,000 feet of the proposed project? ☐ Yes ☐ No

c. chronic pollutant loading from port or harbor use and/or other sources of pollutants? (eg. CSO or POTW discharges) ☐ Yes ☐ No



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C. Description of Proposed Dredging Site (cont.)

If yes to any questions in Item C-4, provide as much historical information as you have, including dates, amounts, concentrations, etc. of such spills or discharge. Attach additional sheets if necessary.

D. Description of Material to be Dredged

1. Grain Size Analysis:

See application for sampling and analysis requirements.

Percentage of total by weight passing

No. 4 Sieve

No. 60 Sieve

No. 10 Sieve

No. 200 Sieve

No. 40 Sieve

2. Chemical Analysis of Sediment:

See application instructions for sampling and analysis requirements. List constituents in mg/kg (ppm) dry weight unless otherwise indicated.

arsenic

cadmium

chromium

copper

lead

mercury

nickel

zinc

PCBs (polychlorinated biphenyls)

PAHs (polynuclear aromatic hydrocarbons)

TPH (total petroleum hydrocarbons)

EPH (extractable petroleum hydrocarbons)

volatile solids (percent)

water (percent)



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E. Description of the Disposal Site for Dredged Material

1. For ocean disposal sites:

a. Location of proposed disposal site and its physical boundaries.

b. Has the site been designated by the state of E.P.A. as a dredge disposal site?

☐ Yes

☐ No

If no, give a description of the characteristics of the proposed disposal site and an explanation as to why no currently designated site is feasible for this project.

c. Is the anticipated disposal site located within a designated ocean sanctuary as established by federal law or G.L.c. 132A, sec. 13?

☐ Yes

☐ No

If yes, which sanctuary?

2. For disposal sites or dewatering sites on land (landward of mean high water), see instructions

a. Location of proposed disposal and dewatering sites and physical boundaries.

b. Indicate drainage characteristics of dewatering and disposal sites from the results of test pits, borings, and percolation tests as applicable.

c. How long are the dewatering and disposal sites estimated to be in use from this project? From future projects?



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E. Description of the Disposal Site for Dredged Material (cont.)

- d. Include plans for effluent control at the dewatering and disposal sites.
- 3. For proposed dewatering of dredged sediment on a barge, provide plans for adequate containment

F. Certification

Application is hereby made for Water Quality Certification concerning the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities.

Date

Signature of Applicant or Authorized Agent

The application must be signed by the applicant; however, it may be signed by a duly authorized agent (named in Item 2) if this form is accompanied by a statement by the applicant designating the agent and agreeing to furnish upon request, supplemental information in support of the application.



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BRP WW 09 Amendment to Certification for Dredging

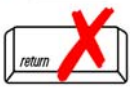
Transmittal Number # _____

Application for an amended water quality certification for dredging projects

A. Applicant Information

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Name

Street Address

City

State

Zip Code

Telephone Number

2. Authorized agent:

Name

Street Address

City

Telephone Number

3. Project location:

Street/PO Box:

City

State

Zip Code

4. Summary of proposed changes in the project:

a. increase/decrease in area of dredging:

Square feet

b. increase/decrease in volume of dredging:

Cubic yards

c. change in dredging method:

d. change in disposal method or location:

e. other:



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Application for an amended water quality certification for dredging projects

A. Applicant Information (cont.)

5. Explain all changes noted in item 4, including changes, if any, in potential impacts to waters as well as additional mitigation proposed (use additional paper if necessary):

6. Include a copy of the existing certification.

7. Include a plan showing project changes.

8. For a proposed change in the dredging area, submit sediment analysis data of representative sample(s) for grain size and contaminants as required by current policy and regulation (314 CMR 9.07). If you have questions about sediment data, please call the Division of Wetlands and Waterways at 617-292-5695.

9. If a change in one or more certification conditions is proposed, provide an explanation for the requested changes (use additional paper if necessary):

B. Certification

Application is hereby made for water quality certification.

“I certify that I am familiar with the work proposed and that to the best of my knowledge and belief the information contained in this application is true, complete, and accurate.”

Applicant's signature

Print name

Agent's signature

Print name

Date